

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DAVID HIERGESELL,

Plaintiff,

-against-

THE INSURANCE COMPANY OF THE  
STATE OF PENNSYLVANIA,

Defendant,  
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**STIPULATION AND ORDER**

Civil Action No. 07 CV 3435 (TPG)

Thomas P. Griesa, J.  
Andrew J. Peck, M.J.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,  
that the above-entitled action has been settled for the sum of \$45,000.00 without interest, costs  
or disbursements to either party and the action is hereby discontinued and dismissed with  
prejudice.

Defendant shall make payment of the settlement payable to “David Hiergesell and Frank  
J. Laine, P.C. as attorney” within twenty-one days of its receipt of this stipulation and a general  
release.

This Stipulation may be filed and “So-Ordered” without further notice.

Dated: June 26, 2007

S/  
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Frank Braunstein (FB4652)  
FRANK J. LAINE, P.C.  
Attorneys for Plaintiff  
449 South Oyster Bay Road  
Plainview, New York 11803  
(516) 937-1010

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THE INSURANCE COMPANY OF THE  
STATE OF PENNSYLVANIA  
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P.O. Box 7677  
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(516) 746-0748

So Ordered,

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THOMAS P. GRIESA, U.S.D.J.